

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

REUBEN A. JACOBS, SR.,

Plaintiff,

v.

THE CITY OF BRIDGETON, et al.,

Defendant.

Civil Action
No. 09-3035 (JBS-JS)

O R D E R

For the reasons set forth in the Opinion filed herewith,

IT IS on this 2nd day of July, 2009,

ORDERED that Plaintiff's application to proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b) is hereby granted; and it is further

ORDERED that the Clerk shall file the complaint in the above-captioned action; and it is further

ORDERED that the Clerk shall serve a copy of this Order and Opinion filed herewith by regular mail upon Plaintiff; and it is further

ORDERED that the Clerk shall serve a copy of this Order by regular mail on the Attorney General of the State of New Jersey and on the warden of the place of Plaintiff's confinement; and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 and shall pay the entire filing fee pursuant to 28 U.S.C. §

1915(b) (1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that an initial partial filing fee shall be deducted and, until the \$350.00 filing fee is paid, in each succeeding month during which the amount in Plaintiff's account exceeds \$10.00, the agency having custody of him shall assess, deduct from his account, and forward to the Clerk of the Court payments equal to 20% of the preceding month's income credited to his account, pursuant to 28 U.S.C. § 1915(b) (2), and each payment shall be referenced to the civil docket number of this action; and it is further

ORDERED that Plaintiff's complaint is DISMISSED WITH PREJUDICE for failure to state a claim upon which relief can be granted, except that Plaintiff's claims for municipal liability of the City of Bridgeton and malicious prosecution by entities other than the prosecutor are DISMISSED WITHOUT PREJUDICE to Plaintiff's right to file an amended complaint consistent with this Opinion within thirty (30) days hereof; and it is finally

ORDERED that the Clerk shall CLOSE the file on this matter.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
U.S. District Judge